

**From:** [Monroe, Clay](#)  
**To:** [Morgan, Melinda](#)  
**Cc:** [Tomchuk, Doug](#)  
**Subject:** Fw: BCSA - Borough of Rutherford Nexus  
**Date:** Thursday, September 28, 2017 2:17:11 PM  
**Attachments:** [Figure 1 Site Locations.pdf](#)  
[Attachment 1 1979 NPDES Permit.pdf](#)  
[Attachment 2 1984-01-17 NJDEP Memo.pdf](#)  
[Attachment 3 1977-05 Facility Plan Joint Meeting Extension.pdf](#)  
[Attachment 4 1966-06 Preliminary Report on Sewerage Facilities.pdf](#)  
[Attachment 5 1970-09 Feasibility Report.pdf](#)  
[Attachment 6 1990-06-12 Affidavit.pdf](#)

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This is responsive

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**From:** Desrosiers, Kim <kim.desrosiers@fticonsulting.com>  
**Sent:** Friday, May 12, 2017 6:30 PM  
**To:** Monroe, Clay  
**Cc:** Hengemihle, Bill  
**Subject:** BCSA - Borough of Rutherford Nexus

Clay,

Per our discussion yesterday, below is a summary of certain key elements of the Borough of Rutherford's nexus to the Berry's Creek Study Area.

### **Key Elements of Nexus to the BCSA**

Starting in 1925, the Borough of Rutherford owned and operated a POTW, which discharged into Berry's Creek until sewerage operations for the borough were transferred to the Rutherford-East Rutherford-Carlstadt (RERC) Joint Meeting POTW. Additionally, Rutherford was an owner of the Rutherford Landfill. The locations of these sites within the study area can be found on the attached Figure 1.

The RERC Joint Meeting, and its members Rutherford, East Rutherford, and Carlstadt, operated a facility which, among other things, discharged mercury and PCBs to Berry's Creek for almost 50 years. The facility operated from 1941 until 1988 and available records thoroughly document a history of the release of inadequately treated waste. The first NPDES permit was issued to the facility on March 31, 1979 following 38 years of discharge into Berry's Creek. At the time of permit issuance, the plant, which was designed to process 4 million gallons per day (gpd) of influent, was handling sewage at a rate of up to 11 million gpd. Disposal of waste was achieved by on-site landfilling with attendant surface runoff to the adjacent Berry's Creek and by off-site discharge conveyed to Berry's Creek primarily at Discharge Point 001. See Figure 1 and Attachment 1. In addition, prior to the Joint Meeting formation in 1941, each of the Joint Meeting member municipalities, including the Borough of Rutherford, operated its own POTW. See Figure 1.

In addition to the point-source discharges associated with the RERC Joint Meeting POTW, grit waste was disposed of by the borough along the banks of Berry's Creek in 1983 and 1984. See Attachment 2.

### **History of the Joint Meeting POTW**

The Joint Meeting facility was constructed between 1939 and 1940 to provide secondary treatment for wastewater originating in Rutherford, East Rutherford, and Carlstadt. The facility was placed into

operation in 1941 and by 1967, was producing unsatisfactory effluent and inadequate treatment. See Attachments 3 and 4.

The Joint Meeting was issued a pollution abatement order by the New Jersey Department of Health (NJDOH) in 1967 and was ordered in its NPDES permit to cease operations and convey all flows to the Bergen County Utilities Authority (BCUA). In a 1970 report on water pollution control systems, the Joint Meeting was described as being both hydraulically overloaded and organically overloaded due to various industrial wastes which were damaging the filter media. The plant at that time was unable to meet NJDOH requirements for effluent into Berry's Creek. The "plant efficiency and continuity of operation [was] seriously affected by malfunctioning of deteriorated equipment in practically all of the plant units." See Attachments 1 and 5.

According to the 1977 Joint Meeting Extension Facility Plan prepared by Clinton Bogert Associates (at Attachment 3):

*Since its construction in 1940, the plant has performed inadequately. The inadequate treatment results mainly from operating and maintenance problems. Treatment units which malfunctioned were removed and not repaired. The mechanical equipment has become obsolete. Presently, the trickling filters often clog requiring the flow to be bypassed... [ ] The JM plant now provides less than primary treatment, removing on the average only about 25 percent of the BOD and suspended solids from the influent sewage.*

The report also states that the poor quality of the water in Berry's Creek was "mainly due to the poor operation of the [Joint Meeting] plant."

Further, the Joint Meeting's sludge incineration facilities were inoperable and thickened raw sludge was pumped to a lagoon, which in turn, polluted groundwater at the Joint Meeting. Consulting engineers stated the following with respect to groundwater impacts and leachate generation from the sludge lagoons.

*[The Joint Meeting] plant abandonment will have several beneficial impacts on water quality. BOD, organic nitrogen, phosphorus, COD and heavy metal loadings in Berry's Creek will be reduced when the treatment plant discharge is eliminated. This will improve water quality in Berry's Creek. Termination of sludge lagooning at the plant site will prevent further pollution of groundwater supplies. Leachate from the lagoons will be reduced after the lagoons have stabilized.*

In addition to the above problems, consulting engineers identified several pathways of influent and crossover between the sanitary and storm sewers throughout the Joint Meeting network, as well as instances of sewage bypassing, resulting in industrial waste intended for the POTW being discharged to the storm system and likely thence to Berry's Creek.

The District Court of New Jersey issued a Partial Consent Decree on November 14, 1985, ordering the Joint Meeting to cease discharges on January 1, 1988. On January 13, 1988, all flows from the Joint Meeting were conveyed to the BCUA. See Attachment 6.

In sum, as described above, industrial effluent from the Joint Meeting was released to Berry's Creek via (1) discharges of bypassed untreated waste or under-treated industrial waste, (2) discharges from sludge lagoons via overland flow, and potentially (3) contaminated groundwater discharges from the sludge lagoons.

#### Attachments

Figure 1 – Site Locations for the Borough of Rutherford

Attachment 1 – 1979 NPDES Permit

Attachment 2 – 1984-01-17 NJDEP Memo

Attachment 3 – 1977-05 Facility Plan Joint Meeting Extension

Attachment 4 – 1966-06 Preliminary Report

Attachment 5 – 1970-09 Feasibility Report  
Attachment 6 – 1990-06-12 Affidavit

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